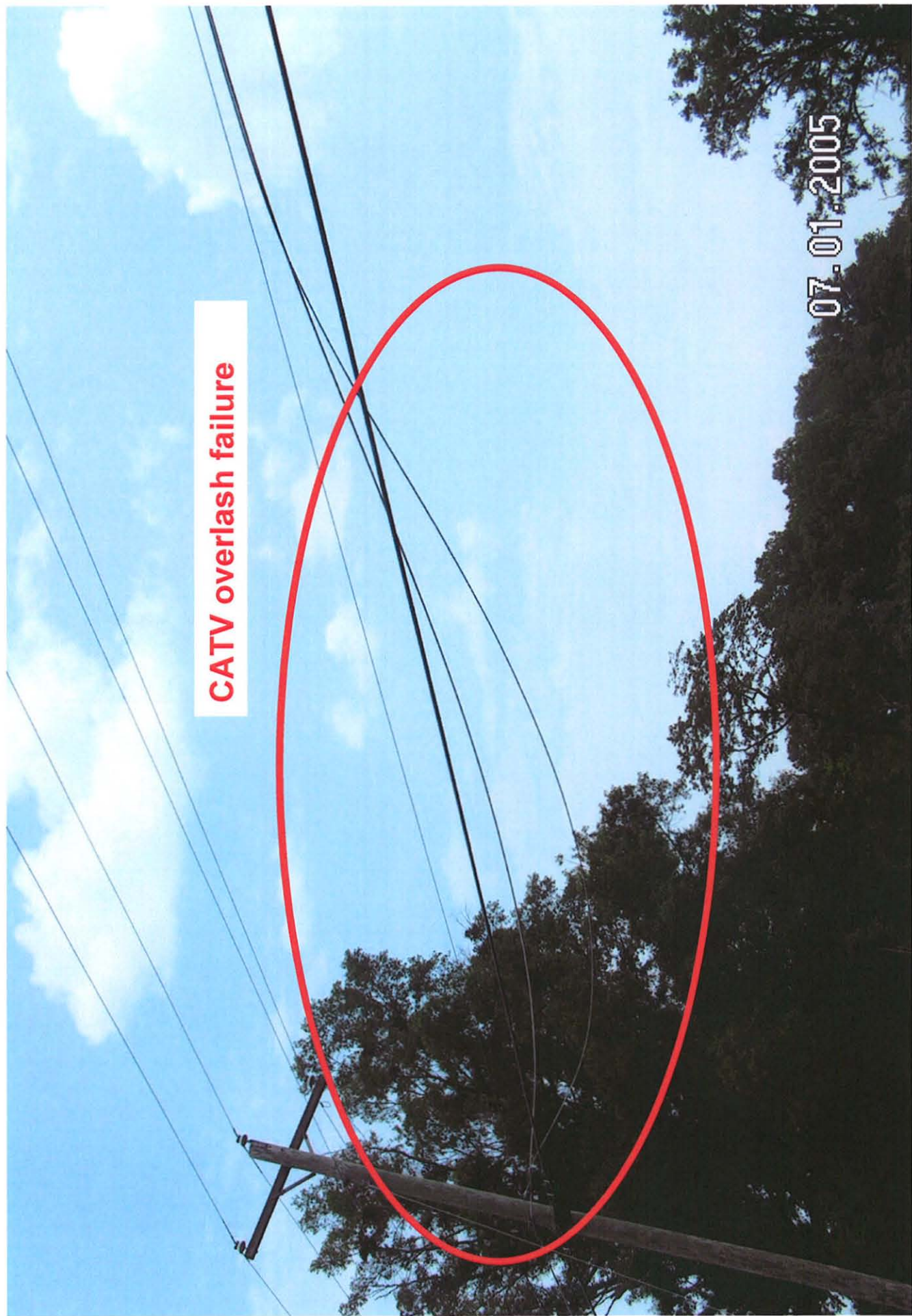
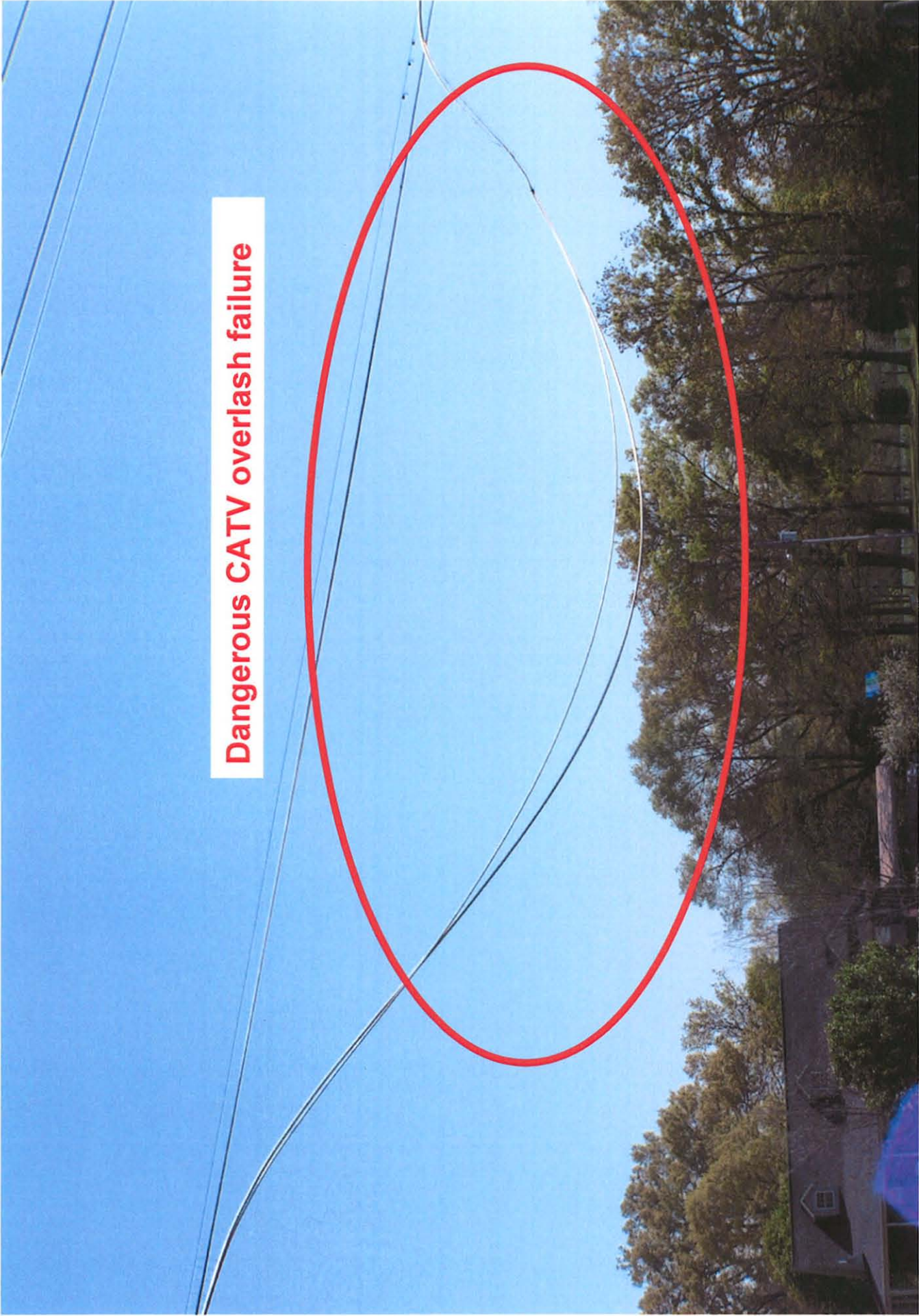


Overlapping Problems





Dangerous CATV overlap failure



**Broken overlap
creates excessive sag**



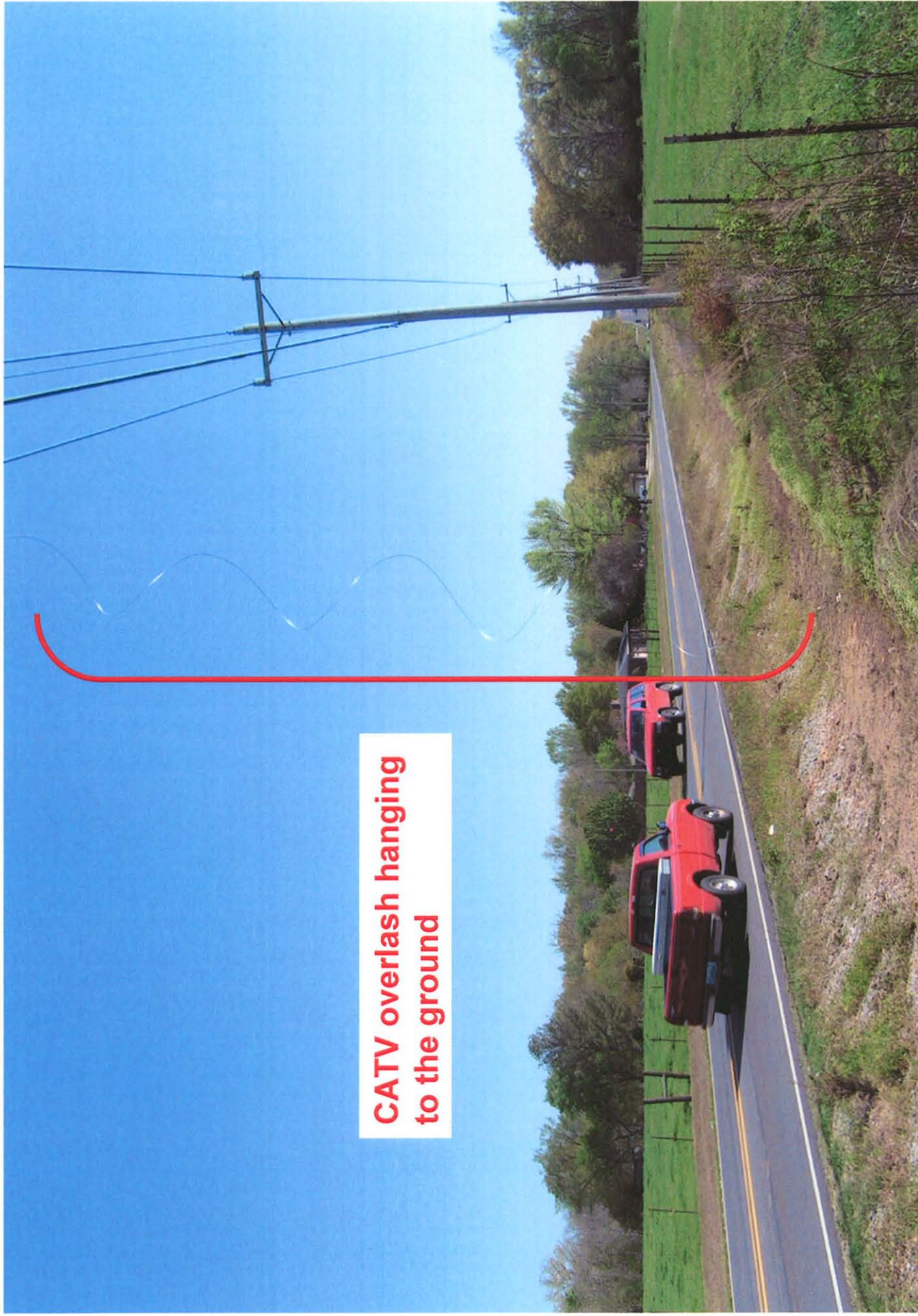
**Broken overlap in
host cable taped to
messenger strand**

Broken overlash



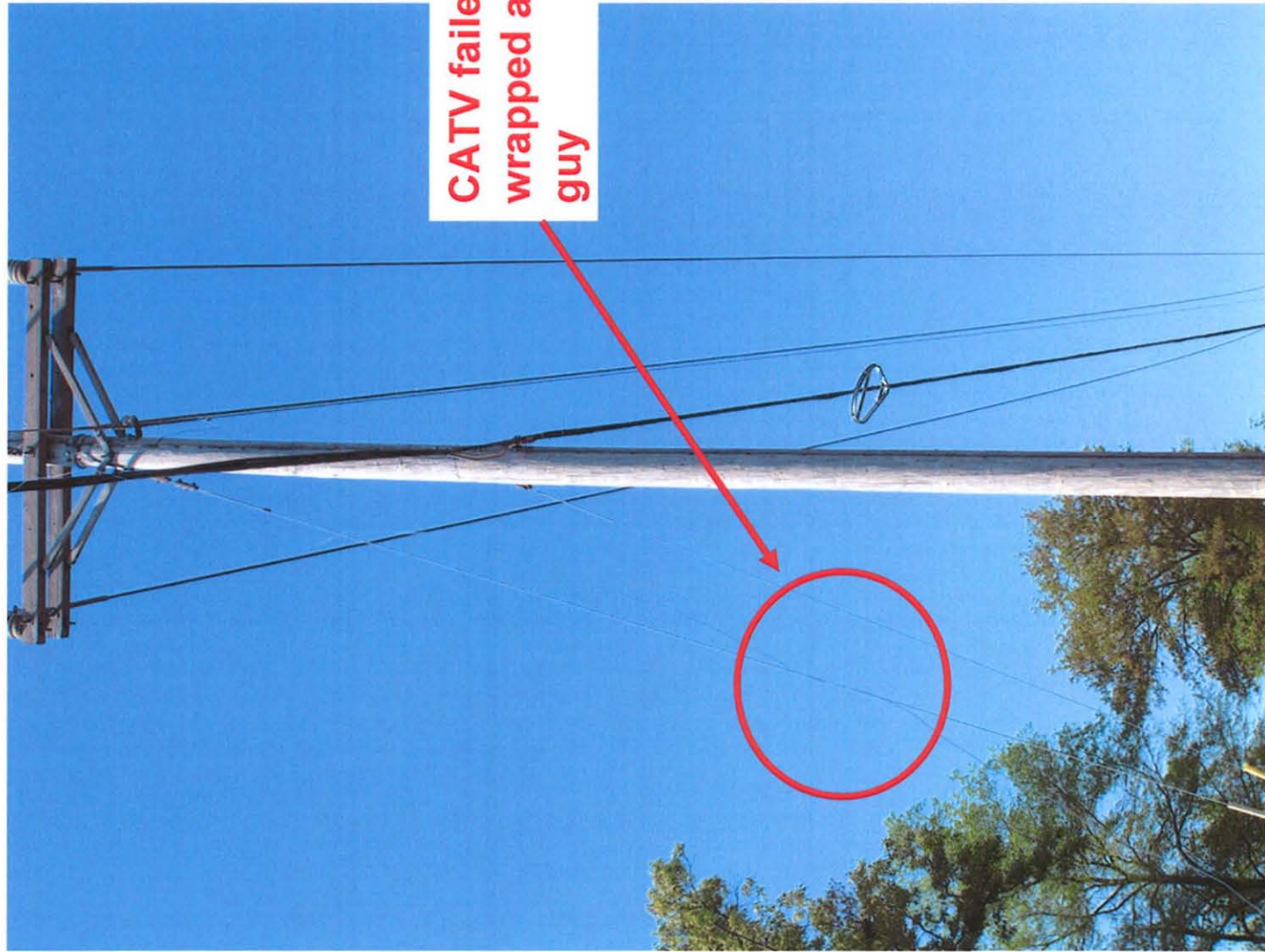
**CATV overlap hanging
to the ground**

Top of fence post



**CATV overlap hanging
to the ground**

**CATV failed overlap
actually lying on the
ground**

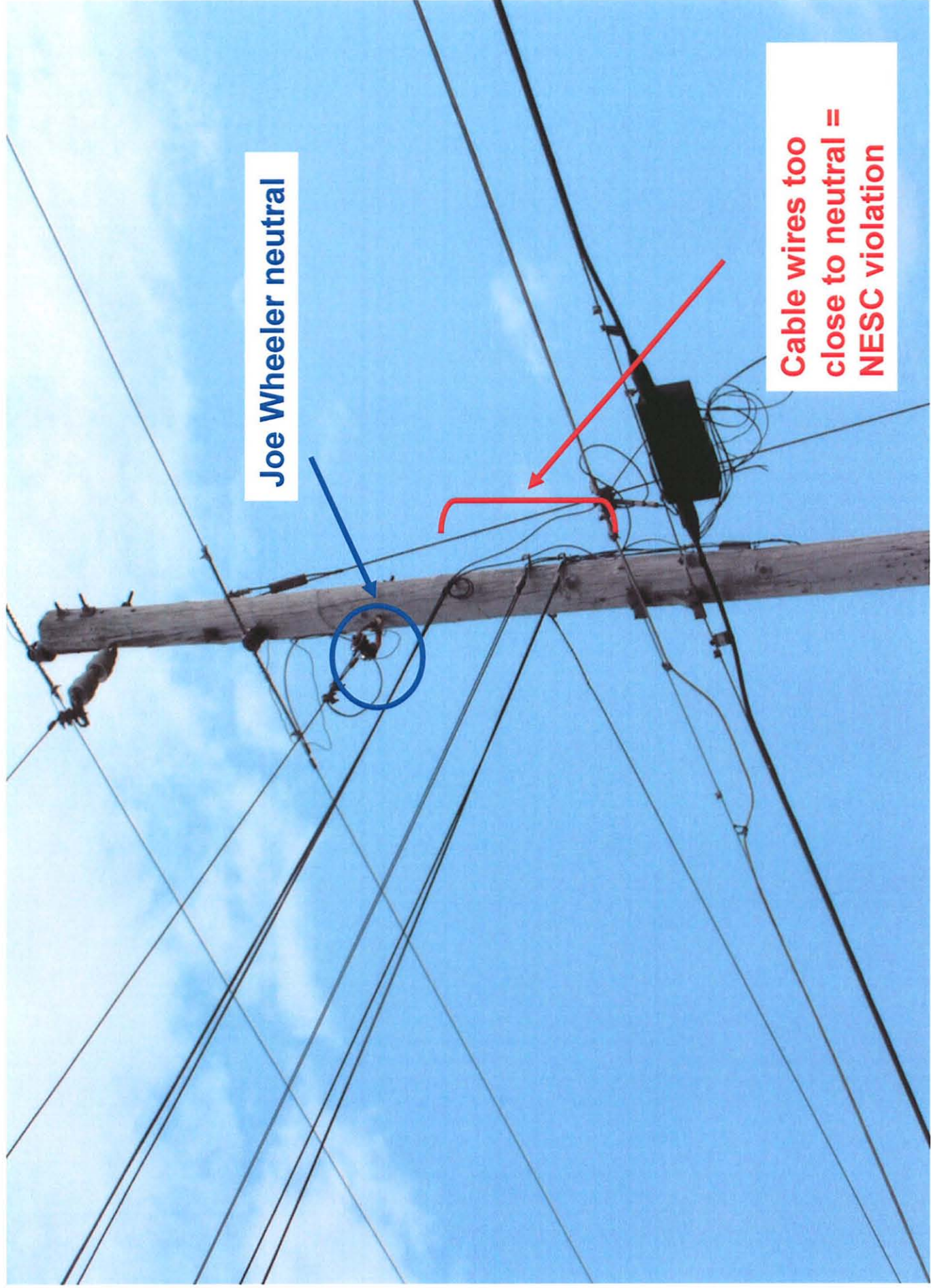




Spacing Violations

POWER SPACE

**Lack of separation between
communications and power
space = NESC violation**



Joe Wheeler neutral

Cable wires too close to neutral = NESC violation

EXHIBIT D

**Before the
Federal Communications Commission
Washington, D.C., 20554**

In the Matter of)	
)	
Implementation of Section 224 of the Act;)	WC Docket No. 07-245
Amendment of the Commission's Rules and)	
Policies Governing Pole Attachments)	RM-11293
)	RM-11303
)	

DECLARATION OF GREG BROUSSARD

1. My name is Greg Broussard. I am employed with Jackson Electric Membership Corporation ("Jackson EMC") as its Director of Engineering Services. I have a Bachelors of Science degree in electrical engineering from McNeese State University. I have been employed by Jackson EMC for 16 years and have been in the employ of electric utility companies for a total of 30 years.
2. This declaration is based on my personal and professional knowledge, as well as knowledge available to me in my capacity as Director of Engineering Services for Jackson EMC.
3. Jackson EMC is one of the largest electric cooperatives in the United States with its headquarters located about 50 miles northeast of Atlanta in Jefferson, Georgia. Jackson EMC serves approximately 185,000 residential customers and 15,000 commercial and industrial customers in 10 metro Atlanta and northeast Georgia counties. Jackson EMC is a member of the National Rural Electric Cooperative Association ("NRECA").
4. The purpose of this declaration is to present and explain data related to safety violations created by attaching entities on Jackson EMC's electrical distribution poles.

5. As of April, 2008 Jackson EMC has more than 178,000 electrical distribution poles, with more than 66,000 of those poles having at least one attachment by an ILEC, CATV or another party ("joint use poles").

6. In 2000 Jackson EMC initiated a safety audit of the joint use poles in its distribution system. This audit was necessary due to the numerous safety violations created by attachers discovered by Jackson EMC in day-to-day operations and construction projects. The company felt that a system-wide inspection was required to identify, report and ultimately correct all pole safety violations; regardless of the cause or company that created the violation. This safety audit is scheduled to be completed in 2008.

7. As part of the safety audit, Jackson EMC has engaged a contractor to conduct field surveys (ride-outs) of all distribution poles, including joint use poles. The contractor is performing all measurements necessary to identify safety violations related to the improper separations and clearances between attached facilities and ground clearances. Other safety violations such as improper, missing or broken guys, anchors, guy markers and bonds are also identified and reported.

8. The findings are loaded into a database containing all measurements, attachment ownership and other necessary location information to enable Jackson EMC to tie the violation locations to its GIS database.

9. Every attacher on Jackson EMC poles was notified of the ride-outs. The attachers are also provided database reports for each pole on which they had violations. The reports detail all measurements between attached facilities as well as ground clearances. The reports also list all joint use attachee required bonds, guys, anchors or other hardware that is either missing or in

disrepair. The reports also provide an itemized listing of all make-ready construction required to be performed by Jackson EMC on behalf each attacher in order for that attacher to remedy its violations, as well as the costs associated with the make-ready work.

10. Out of the more than 122,000 total violations found thus far in the safety audit, more than 106,000 of those safety violations have been caused by third-party attachers to Jackson EMC's joint use poles. Some examples of the breakdown of violations caused by attaching entities include: 30,778 violations by AT&T (f/k/a BellSouth); 30,270 violations by Comcast CATV; 25,296 violations by Charter CATV; 12,490 violations by Windstream Phone; and 4,628 violations by Windstream CATV.

11. The percentages of each attacher's violations were also determined. Examples include: 68% of Comcast CATV's attachments in violation; 64% of Charter CATV's attachments in violation; 66% of Windstream CATV's attachments in violation; 68% of Windstream Phone's attachments in violation; and 39% of AT&T's attachments in violation.

12. Examples of the most common violations by the most offensive attaching entities include:

AT&T (43,728 total attachments)

- 9,404 violations of the 40" required spacing below a secondary/transformer loop
- 5,158 violations of the 40" spacing required below an energized secondary wire
- 3,075 violations of the 15.5' required clearance over roads and driveways
- 1,959 violations of the 30" required separation below a transformer tank
- 1,794 violations of the 40" required spacing below a riser

Charter CATV (19,896 total attachments)

- 6,028 violations of the 40" required spacing below a secondary/transformer loop
- 5,183 failures to bond to the Jackson EMC provided ground
- 3,731 violations of the 40" spacing required below an energized secondary wire
- 1,286 violations of the 30" required separation below a transformer tank
- 1,165 failures to mark anchor guys to protect the public

Comcast CATV (23,100 total attachments)

- 7,596 violations of the 40" required spacing below a secondary/transformer loop
- 4,004 failures to bond to the Jackson EMC provided ground
- 3,672 violations of the 40" spacing required below an energized secondary wire
- 2,104 failures to mark anchor guys to protect the public
- 1,727 violations of the 30" required separation below a transformer tank

Windstream CATV (3,290 total attachments)

- 844 violations of the 40" required spacing below a secondary/transformer loop
- 667 failures to bond to the Jackson EMC provided ground
- 476 violations of the 40" spacing required below an energized secondary wire

Windstream Phone (9,232 total attachments)

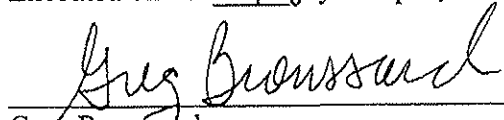
- 2,586 violations of the 40" required spacing below a secondary/transformer loop
- 1,626 violations of the 40" spacing required below an energized secondary wire
- 825 violations of the 30" required separation below a transformer tank

13. If an attacher disputed the code violations found in the safety audit, Jackson EMC's contractor either (1) visited the pole with the attacher and arrived at a decision there or (2)

provided a venue for discussion between the attacher and Jackson EMC personnel who collectively arrived at a causation and remediation strategy for the disputed location.

14. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the facts set forth in this declaration are true to the best of my knowledge.

Executed on the 22nd day of April, 2008.

A handwritten signature in cursive script, appearing to read "Greg Broussard", is written over a horizontal line.

Greg Broussard
Director of Engineering Services, Jackson EMC

EXHIBIT E

**Before the
Federal Communications Commission
Washington, D.C., 20554**

In the Matter of)	
)	
Implementation of Section 224 of the Act;)	WC Docket No. 07-245
Amendment of the Commission's Rules and)	
Policies Governing Pole Attachments)	RM-11293
)	RM-11303
)	

DECLARATION OF RICHARD BLAKE PENDLEY

1. My name is Richard Blake Pendley and I am employed with GreyStone Power Corporation ("GreyStone Power") as its Director of Safety and Loss Control. I have been employed by GreyStone Power in electrical power distribution construction and operations for almost twenty-two (22) years.

2. Founded in 1936, GreyStone Power serves some or all of eight metropolitan Atlanta counties. GreyStone Power serves both some of the fastest growing areas in the nation in metropolitan Atlanta, and traditional rural areas in Western Georgia. To provide service to more than 100,000 members, GreyStone Power owns more than 89,000 electrical distribution poles, with more than 55,000 of those poles having at least one attachment ("joint use poles"). GreyStone Power has a joint use agreement with AT&T, and attachment agreements with Comcast and Charter. GreyStone Power is a member of the National Rural Electric Cooperative Association ("NRECA") which is filing Reply Comments in this proceeding.

3. The purpose of this declaration is to provide data and pictures evidencing constant safety violations created on GreyStone Power's joint use poles by attaching CATV and ILEC entities.

4. GreyStone Power maintains a permit process wherein ILEC, CATV or other attachers are required to submit an application prior to making an attachment to GreyStone Power's poles. Among other things, this application describes the location of the pole and the type of attachment to be made.

5. When an application is submitted, GreyStone's contractor, Utility Support Systems ("USS"), visits the pole to determine if make-ready is required prior to another attachment. For each subject pole, USS creates a "Make Ready Work Report" and, if needed, takes photographs (collectively "Pole Report").

6. Attached as Tabs 1 -- 4 to my declaration are four (4) very recent Pole Reports created in the February-April 2008 time frame. These Pole Reports typify the pervasive safety violations created by CATV and ILEC attachers. These reports in no way cover all the safety violations created by CATV and ILEC attachers.

7. Tab 1 is Pole Report #1 dated March 25, 2008. This pole is located on Pope Road in Douglasville, Georgia. The three violations noted include both Comcast and BellSouth's (now AT&T) attachments lacking the necessary separation below GreyStone Power's transformer required by the National Electric Safety Code ("NESC") and Rural Utilities Services ("RUS") construction specifications. Another violation is BellSouth's failure to maintain proper separation below GreyStone's mid-span guy wire. To alleviate these safety violations, both Comcast and BellSouth must lower their attachments almost two (2) feet.

8. Tab 2 is Pole Report #2 also dated March 25, 2008. This pole is located on Pilgrims Drive in Douglasville, Georgia. On this pole, Comcast and BellSouth's attachments lack the necessary 40" to 64" separation below GreyStone Power's secondary riser as required by NESC

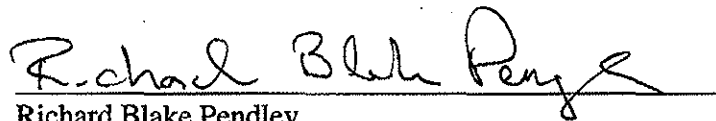
and RUS specifications. To correct these violations, Comcast must lower its attachments 32", and BellSouth must lower its attachments and cables three (3) feet.

9. Tab 3 is Pole Report #3 dated April 1, 2008. This pole is located on Old Douglassville Road Drive in Douglasville, Georgia. Again, Comcast and BellSouth failed to maintain the necessary separations below GreyStone Power's secondary riser. Comcast must lower its attachments 17", while BellSouth must go down 18".

10. Tab 4 is Pole Report #4 dated February 19, 2008. This pole is located on Chestnut Place in Lithia, Georgia. Here, Comcast failed to properly install its guy wire and anchor – which is now three (3) feet out of the ground in violation of the NESC. *See* NESC Handbook, 6th Ed., §264(f).

11. These very recent examples just scratch the surface of the constant safety violations created by CATV and ILEC attachers to GreyStone Power's infrastructure. GreyStone Power is currently conducting a system-wide safety audit to better identify and correct safety violations. The Safety Audit was designed to identify the most obvious safety violations – *i.e.*, those that can be identified simply by looking at the poor construction practices of attachers without having to resort to measuring the attachments. To date, approximately 17,000 joint use poles have been surveyed, with more than 3,100 obvious CATV or ILEC violations discovered.

Executed on the 22 day of April, 2008.


Richard Blake Pendley
GreyStone Power, Director of Safety and Loss Control